

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	RM No. 11699
Encryption of Amateur Radio Communications)	
Petition for Rulemaking)	

With regards to the recent NPRM of allowing encryption in the Amateur Service I do not agree that it should be allowed at all and offer the following points and clarifications:

- **§ 97.407(3)** of the Commission's rules for the Amateur Service state that Radio Amateur Civil Emergency Service transmissions must be "*directly concerning the accumulation and dissemination of public information or instructions to the civilian population*". Adding encryption to RACES transmissions would not allow the public direct access to this information in real time.
- The proposal requests that certain Amateur Service transmissions be encrypted during emergencies. There would need to be a definitive definition of what constitutes an emergency. Otherwise, this creates issues where situations that are not true emergencies can be used for encrypted transmissions.
 - During an emergency where life and property are at risk, encryption could create a situation where an Operator that is in distress would not be able to contact an emergency net to get help. Keeping emergency communications in the clear allow anyone with an emergency to contact the emergency net control.
- Encryption will create a situation where the FCC and ARRL Official Observers will not be able to adequately determine when violations of Part 97 rules take place. It would be possible for Amateur Operators to encrypt their transmissions and violate the Commission's rules in §97.113 and §97.115, for example: Playing music, offensive language, not identifying the station call sign, etc. This creates a serious issue with enforcing the Part 97 rules.
- This will create a situation where the Amateur Service is no longer interoperable; during an emergency interoperability is imperative to safety of live and property. Currently most emergency communications in the Amateur Service are on analog modes which allow all Operators with any radio the ability to assist during emergency situations.

In closing, as an Extra Class Amateur Radio Operator for nearly 20 years and being involved in emergency communications for the same length of time, it is of my opinion that allowing encryption into the Amateur Service would create more problems than any usable solutions to the service. The Amateur Service is unique in its ability to be completely interoperable, provide open communications between all licensed Operators, and promote good communications standards both nationally and internationally.

Sincerely,
Charles Stiefel
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Huntsville, Alabama